

**UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

GENERAL MOTORS LLC,)	
)	
Plaintiff,)	Case No.: 8:22-cv-00157-JFB-CRZ
)	
vs.)	
)	
WOODHOUSE AUTO FAMILY, INC.;)	
HUBER CHEVROLET, INC.; HUBER)	
CADILLAC, INC.; YABA, LLC; and)	
NBC PROPERTIES, LLC)	
)	
Defendants.)	

**GENERAL MOTORS LLC’S ANSWER TO COUNTERCLAIMS OF HUBER
CHEVROLET CO., INC.; HUBER CADILLAC, INC.; YABA, LLC; AND NBC
PROPERTIES, LLC**

Plaintiff/Counterclaim-Defendant General Motors LLC (“GM”) responds to the Counterclaims filed by Huber Chevrolet Co., Inc, Huber Cadillac, Inc., Yaba, LLC, and NBC Properties, LLC (collectively, “Huber”) as follows:

1. Paragraph 1 of Huber’s Counterclaims incorporates by reference the allegations contained in paragraphs 1 through 10 of GM’s Complaint. To the extent a response is required, GM affirms and realleges the allegations contained in paragraphs 1 through 10 of its Complaint.
2. The allegations contained in paragraph 2 of Huber’s Counterclaims consist of legal conclusions to which no response is required. To the extent a response is required, GM agrees that it is an interested party and will be bound by the declaration of the Court.
3. GM admits the allegations contained in paragraph 3 of Huber’s Counterclaims.
4. GM admits the allegations contained in paragraph 4 of Huber’s Counterclaims.
5. GM admits the allegations contained in paragraph 5 of Huber’s Counterclaims.
6. GM admits the allegations contained in paragraph 6 of Huber’s Counterclaims.

7. GM admits the allegations contained in paragraph 7 of Huber's Counterclaims.
8. GM admits the allegations contained in paragraph 8 of Huber's Counterclaims.
9. GM admits, upon information and belief, the allegations contained in paragraph 9 of Huber's Counterclaims.
10. GM admits the allegations contained in paragraph 10 of Huber's Counterclaims.
11. GM admits, upon information and belief, the allegations contained in paragraph 11 of Huber's Counterclaims.
12. GM admits the allegations contained in paragraph 12 of Huber's Counterclaims.

Regarding the "Wherefore" clause contained under paragraph 12 of Huber's Counterclaims, the first two requests for relief—relating to Huber's termination of the Purchase Agreement—are not directed towards GM and, therefore, no response is required from GM. GM joins Huber's third request for relief and avers that Neb. Rev. Stat. § 60-1401 *et seq.*, does not prohibit GM or its assignees from exercising a right of first refusal over the sale or transfer of a motor vehicle dealership's assets.

SPEEDY HEARING

GM joins in Huber's request for a speedy hearing of this action pursuant to Federal Rule of Civil Procedure 57.

Dated: June 2, 2022

Respectfully Submitted,

/s/ Robert W. Shively

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CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of June, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following via electronic mail:

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/s/ Robert W. Shively

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